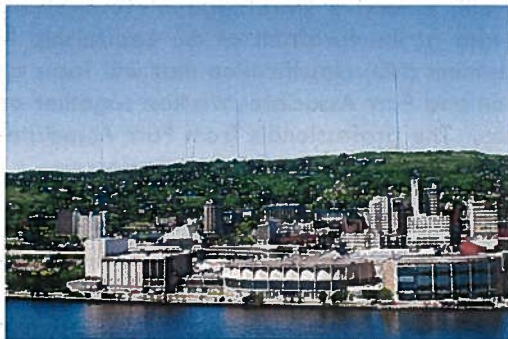
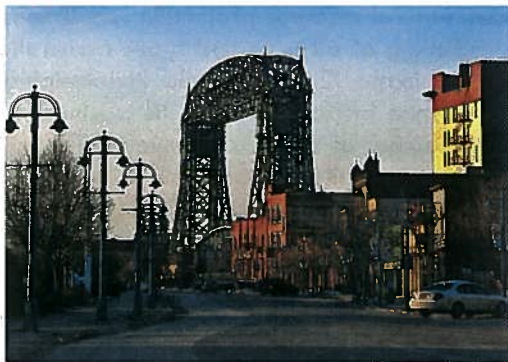


Proposal for a
UNIFIED DEVELOPMENT CODE
Duluth, Minnesota



SUBMITTED BY

C L A R I O N

Clarion Associates

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In association with:

Farr Associates

Ayres Associates

September 2008

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Community Planning
Zoning/Design Standards
Impact Fees
Growth Management
Sustainability

C L A R I O N

September 5, 2008

Mr. Keith Hamre, Acting Director of Planning
City of Duluth
402 City Hall
411 West First Street
Duluth, MN 55802

Re: Proposal for Unified Development Code

Dear Mr. Hamre and Members of the Selection Committee:

Clarion Associates is pleased to submit this proposal to draft a new Unified Development Code for the City of Duluth. Our team offers a strong combination of national and regional experience to ensure that the city's new code reflects both national best practices and local solutions to implement the city's goals.

Clarion Associates is a nationally recognized land-use consulting firm with extensive experience in preparing zoning ordinances, design standards, form-based codes, natural resource protection regulations, mixed-use standards, and growth management strategies for jurisdictions of all sizes and types across the country. We have offices in Colorado, Florida, North Carolina, Chicago, Cincinnati, and Philadelphia. **Chris Duerksen**, Managing Director of Clarion Associates and a land-use attorney, will be the partner-in-charge and the overall director for the team. **Don Elliott**, a senior member of the firm's Denver office, will be the day-to-day project manager, and principal **Darcie White** will be available for consultation on key issues such as the creation of new development and design standards. Associate **Erica Heller** will also assist with research and ordinance drafting.

We are joined in this response by three sub-consultants: **Farr Associates** of Chicago and **Ayres Associates** of Duluth.

Farr Associates is a nationally-recognized architecture firm with extensive knowledge of form-based codes in the Midwest and throughout the country. They are also at the forefront of the Leadership in Energy and Environmental Design (LEED) Neighborhood Development (ND) classification that will focus on site development in addition to green building practices. Clarion and Farr Associates worked together on the recently completed rewrite of the Chicago zoning ordinance. The professionals from Farr Associates who would be involved in the effort are **Leslie Oberholtzer**, **Kristin Ihnchak**, and **Christina Anderson**.

Ayres Associates is a multi-specialty architectural/engineering consulting firm with offices nationwide, including an office in Duluth. Among the services they provide include stormwater and wastewater management and technologies, municipal growth infrastructure management, and environmental science. The firm will bring technical expertise in these areas and topics such as shorelands, streams, and floodplain regulations. **Thomas Pfeffer** is the primary professional from Ayres Associates that will be involved in the project out of the firm's Duluth office. Tom is intimately familiar with the issues facing Duluth, having worked on the drafting of the city's comprehensive plan. He would be assisted by **Kristin Anderson**.

As discussed in more detail in our response to the RFP, the Clarion team has extensive relevant experience in assisting cities like Duluth in the drafting and updating of zoning ordinances and converting multiple disconnected regulations into coherent unified development codes. Our team's strengths are summarized as follows:

- We have substantial experience in drafting zoning ordinances and unified development codes in the Midwest and across the nation in medium-sized, mature communities such as Aurora, Illinois; New Berlin, Wisconsin; Oak Park, Illinois; Bloomington, Illinois; and Clayton, Missouri.
- We have hands on experience in Minnesota working for the City of Duluth on multiple projects, the Metropolitan Council in Minneapolis, and the Minnesota Department of Transportation.
- We have extensive experience in drafting award-winning, "user-friendly" codes that are written in plain English and made available through web-based technology.
- We are experts at making codes come alive with illustrations, diagrams, and graphical depictions of complex regulatory concepts.
- We have in-depth knowledge of "best practices" on zoning issues generally, and in substantive areas we believe are important to the project, such as:
 - Design and landscape standards;
 - Form-based regulations;
 - PDR and TDR programs;
 - Natural resource protection;
 - Stormwater and floodplain standards;
 - Sustainable and green building principles; and
 - Infill development and redevelopment.
- We have used a variety of tools to engage the public in code rewrites.
- We have a proven system of cost containment and a track record of on-budget performance.
- We are recognized experts in land use law.

Because our team's qualifications have already been detailed in the response to Duluth's RFQ on for these services last summer, we will not repeat all that information. Instead, our proposal will focus on how the Clarion team will use Duluth's preferred approach to produce an exceptional unified development code and to confirm that we can and will produce the specific deliverables called for in the RFP.

We are excited about the prospect of working with Duluth and thank you for the opportunity to submit this proposal. Please do not hesitate to contact us if you have questions or need further information.

Sincerely,



Chris Duerksen
Managing Director

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INTRODUCTION

Project Overview

The new Duluth Comprehensive Plan establishes an exciting vision for the City of Duluth. Through a mix of regulatory tools, incentives, and investment programs, the city seeks to accomplish a number of the plan's key goals related to zoning and land use, including managing growth responsibly, encouraging infill development, protecting neighborhood and community character, and sustaining the natural environment Duluth is blessed with.



Duluth is a mid-sized, Midwestern city that has experienced moderate growth in recent years, enjoying redevelopment and revitalization in its downtown waterfront as well as new development in areas like the Miller Trunk Corridor. It has a tremendous foundation of historic buildings downtown and in the surrounding neighborhoods to go along with its beautiful setting and abundant natural resources along the Lake Superior shoreline and surrounding forests and streams.

Like many other mature cities in the Midwest, Duluth has a zoning code that is not up to implementing the ambitious vision of its comprehensive plan. Dating from 1958, the zoning code contains many outdated provisions that are inconsistent with today's community objectives. Piecemeal revisions have resulted in a patchwork of the old (e.g., zone districts with "pyramid" zoning elements) and the new (e.g., Downtown Waterfront Mixed Use-Design Review District). As one of the main tools to implement the Duluth Comprehensive Plan, it is essential that a new code be developed that includes progressive provisions that address mixed-use development, form-based concepts, natural resource protection, and other key plan elements, and that integrates water resource protection, stormwater management, and flood control provisions with other land use controls.



This proposal outlines the Clarion team's approach to drafting the Duluth Unified Development Code. Our team offers a strong combination of national and regional expertise and local knowledge, combined with a long track record of success in similar projects. We are excited about working with staff and the citizens of Duluth to implement the Duluth Comprehensive Plan by developing a new code that encourages appropriate development and that is easy to use, understand, and administer.

The RFP makes clear that a detailed scope of work will be negotiated with the successful consultant team, and we look forward to doing that. In order to outline an approach to this process we have outlined our basic approach to this type of work. We tailor this approach for each client and each project, but we put this forth as a starting point for further discussions.

PROPOSED PROJECT APPROACH

Our proposed project approach consists of the following four tasks. It has proved successful in dozens of codes across the United States.

- Task 1: Project Initiation and Analysis**
- Task 2: Diagnosis and Annotated Outline**
- Task 3: Draft New Land Development Code**
- Task 4: Code Adoption**

All elements of this work plan are flexible and open to tailoring to meet Duluth's unique needs.

Task 1: Project Initiation and Analysis

A. INITIAL REVIEW OF ZONING ORDINANCE, PLANS, AND OTHER BACKGROUND DOCUMENTS

As a first step, the Clarion team will review in greater detail the newly adopted Duluth Comprehensive Plan, the existing chapters of the municipal code relevant to this project (including chapters 44, 50, and 51), the zoning map, administrative rules, examples of approved development permits, special use approvals and variances; and other relevant plans, ordinances, and policies as identified by the city. Team members will analyze and compare the plan policies with the current ordinance language, map, and regulatory structure to identify key issues and opportunities in the ordinance update project. This review will draw on the team's national experience, as well as staff input, on ways in which other jurisdictions solve issues that need to be addressed in the Duluth project. This background review will form the basis for the initial meetings described below.

B. INITIAL PROJECT MEETINGS

Clarion will meet with the city project managers, staff, and other officials to discuss overall project goals and to finalize the project work plan and schedule. Get-acquainted meetings will be held with the elected and appointed officials as recommended by city staff. Team members will also tour the city with the planning staff to see first-hand how key substantive issues are playing out in practice.

C. PUBLIC PARTICIPATION STRATEGY

Also at the beginning of Task 1, we will discuss and finalize a public participation process. **This process will incorporate (a) Duluth's already-appointed 15-member advisory committee, (b) the city's staff technical committee, and (c) the preliminary schedule of meetings in section VII of the RFP document.** Our local representatives will be on-call for other meetings as needed with targeted interest groups. We also anticipate regular reports to elected officials and public meetings at important milestones during the process. We will also discuss optimal use of the city's web site and other web-based involvement tools and surveys.



The Clarion Associates team prides itself on a strong public involvement track record in our code revision projects. We also pride ourselves on being excellent communicators, meeting facilitators, and educators who can build public support for changes in land-use regulations —

even on controversial issues. Regardless of the type of public input process selected, the importance of effective public input and education cannot be overstated. With a strong citizen/stakeholder involvement process, adoption of significant revisions need not be a battle. Without it, adoption is often very difficult. Consequently, this work program contemplates further discussion of this issue during the initial stage of the project. A strong public participation effort is usually very important to effective implementation.

D. INTERVIEWS WITH STAFF AND OTHERS / STAFF SURVEY

Following the document review and initial meetings, we will oversee an intensive initial discussion of land development issues with city staff, the advisory committee, and elected and appointed officials. With staff's guidance, the Clarion team also will interview key players in the development process (e.g., developers, neighborhood group representatives) in small groups or one-on-one to get their views on the same topics. These discussions and review will give us a clear understanding of how the existing codes work (and don't work) in practice, and key issues and practical problems that need to be addressed by the new ordinance.

A unique feature of our reconnaissance is the survey we circulate to key staff in other departments (like public works and the city attorney) to assist in producing a methodical analysis and record of strengths and weaknesses of the existing ordinance. We find it essential to involve these other departments early in the process as their work will often be affected by code provisions (e.g., stormwater and natural resource protection standards). We also recommend forming an interdepartmental staff working group for regular consultations on the project.

TASK 1 SUMMARY

Consultant Responsibilities/Deliverables

- Preliminary review of ordinance, plans, and related documents
- Final scope of work, including detailed work plan and schedule
- Draft survey to circulate to city departments
- Facilitate initial advisory committee meeting
- Interviews with key staff, elected and appointed officials, members of development community, and others familiar with the codes identified by the city

City Staff Responsibilities

- Send copies (hardcopy and electronic) of current land development regulations/plans to Clarion
- Provide plans and other relevant background materials to Clarion
- Prepare database of names and addresses for public participation
- Participate in interviews as appropriate
- Organize interviews, tour, and advisory committee meetings
- Circulate survey to city departments

Task 2: Diagnosis and Annotated Outline

A. DIAGNOSIS AND ANNOTATED OUTLINE – STAFF DRAFT

Based on information gathered during Task 1, Clarion would prepare a detailed analysis of the current Duluth codes in order to refine the key issues and themes to be addressed through the update. **This document will constitute the deliverable identified in section VII.1 of the RFP document (analysis of current ordinances and policies), but will go beyond those requirements to create a consensus roadmap for the new Duluth Unified Development Code.**



To do so, this analysis will focus on the strengths and weaknesses of the current codes, including:

- Ways in which the current regulations are ineffective or frustrating to use;
- Areas of consistency and inconsistency between existing city policies, the new comprehensive plan, and regulations;
- Ways to make the revised document more user-friendly;
- Ways to streamline the review process; and
- Necessary changes related to new statutory and/or case law.

With regard to both procedural and substantive issues, the Diagnosis will present options and alternative techniques for addressing these issues gleaned from our work in other jurisdictions and additional best practices research. Importantly, this diagnosis will identify specific provisions to implement the 2006 Comprehensive Plan.

Combined with the Diagnosis, the Clarion team will draft an Annotated Outline of recommended revisions. The purpose of the Annotated Outline is to allow staff, the advisory committee, elected and appointed officials, and the public an opportunity to review the overall structure of the proposed revisions before the actual drafting begins. The Annotated Outline will set out the proposed structure of the ordinance amendments in detail, providing commentary explaining the purpose and scope of each new or amended provision. The Annotated Outline will show how freestanding regulations on subdivision, floodplains, water resources, and stormwater management will be integrated into a single, unified document. **As required by the RFP, it will show how relevant state and federal land use regulations (such as key provisions of the Fair Housing Act Amendments and the American's With Disabilities Act) will be integrated into or cross-referenced in the new unified development code.**

We believe this Annotated Outline step is critical because it helps establish a proposed new structure for the ordinance amendments that meets the city's objectives, clarifies how old and new sections will work as a whole, and provides an early opportunity to make corrections or suggest other approaches before significant time and resources are spent on actual drafting of the targeted ordinance amendments.

The first draft of the Diagnosis/Outline would be for internal staff review only. That review allows staff time to provide Clarion with substantive feedback and identify any factual errors or major issues that should be adjusted in the document prior to public review.

B. DIAGNOSIS/ANNOTATED OUTLINE - PUBLIC DRAFT

After the Clarion team revises the staff draft, based on consolidated written comments from staff, a public draft will be released. We will convene meetings with the advisory committee, and other bodies as may be appropriate, to discuss the Diagnosis/Annotated Outline and receive comments. The purpose of the meetings will be to overview and discuss the Diagnosis/Outline and receive input on the procedural, structural, and substantive issues that should be addressed in the revision effort. The general objective of these meetings will be to gain consensus on the general scope and parameters of the issues to be addressed in the drafting of the new ordinance. In our experience, obtaining early consensus on issues contained in the Diagnosis/Outline is a crucial step toward ensuring that the remainder of the process proceeds smoothly and effectively.

TASK 2 SUMMARY

Consultant Responsibilities/Deliverables

- Staff draft of Diagnosis/Annotated Outline
- Public review draft of Diagnosis/Annotated Outline
- Facilitate one meeting with the advisory committee; additional meetings during trip

City Staff Responsibilities

- Review staff draft of Diagnosis and Annotated Outline and provide consolidated written comments
- Organize meetings of the advisory committee and other entities/public (including notices)

Task 3: Draft New Unified Development Code

A. STAFF DRAFTS

Based on the Diagnosis/Annotated Outline, the Clarion team will develop a new draft code that is user-friendly, graphically rich, and substantively and procedurally updated to implement the 2006 Comprehensive Plan. The new ordinance will emphasize the use of graphics, tables, and charts to explain zoning and land use concepts, instead of voluminous text. Areas that will benefit from illustrations will be noted (though actual illustrations will not be produced until language is refined in a later draft). The draft will include commentary where necessary to explain changes from current practice and the rationale behind new provisions. The preliminary draft will be intended for discussion and testing primarily among staff, the advisory committee, and the Clarion team.

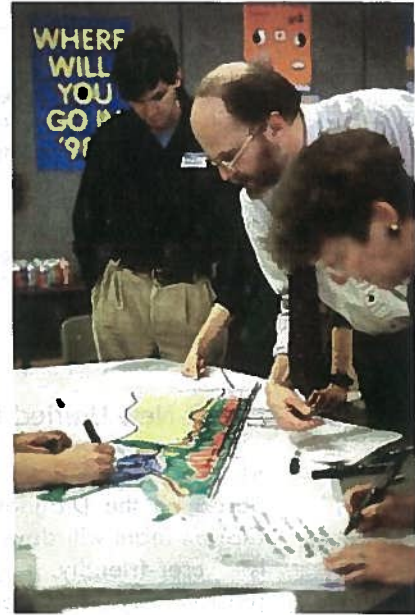


Because the new code will likely include a substantial amount of new information, it will be difficult for any review body, or the public, to digest in a single meeting. Therefore, we recommend dividing the drafting process into three manageable installments consisting of related provisions. One possible approach that we have used successfully in the past is to divide the work as follows: 1) procedures/administration; 2) zone districts and uses; and 3) development standards. However, the exact composition and schedule for the drafting will be determined in consultation with staff following the completion of the Diagnosis and Annotated Outline.

The Clarion team will prepare a "staff draft" of each draft installment, which will be sent first to the planning staff and city attorney for review and comment. Each draft installment will be accompanied by a cover memorandum that summarizes major new features in the drafts, significant changes from current provisions, and explanations of the new material. While staff is reviewing the first installment, the Clarion team will begin drafting of the second installment, and so on. In this way, drafting and staff review proceeds in a relatively efficient process. Staff will consolidate and reconcile its comments on each installment and present them in written form to the Clarion team (this can be either an electronically or hand-written redlined copy, or in memo form, or both).

B. DISCUSSION DRAFTS

Based on staff comments, the Clarion team will produce a revised draft for distribution to the advisory committee and other key stakeholders (again, in three manageable installments). The discussion draft will be a refinement of the preliminary drafts, but may include new alternative approaches if the original selected approaches are determined to be unsuccessful through testing and evaluation. We will hold meetings with the advisory committee on each of the three sections of the discussion draft.



C. DESIGN TESTING

The revamped code is expected to contain new content (especially development standards) that could have an impact on development and redevelopment in Duluth and will introduce tools not currently in use in the city. As part of Task 3, Clarion recommends testing the standards to demonstrate how various proposed development standards would actually be implemented in various neighborhoods, corridors, commercial areas, and other parts of the city. This would be done through the testing of proposed development standards on model site plans – ideally, plans of actual projects being proposed by local developers, or through projects recently approved by the city. The testing of model site plans would enable city staff and the community to better understand the practical implementation issues associated with proposed standards.

We support the inclusion of as much testing as possible; however, based on past experience, we know that testing can be time-consuming and add additional costs to the project budget and therefore suggest it as an option for consideration.

D. PUBLIC DRAFT

Based on comments received from staff, the advisory committee, and other stakeholders, we will revise the discussion drafts to create a final, consolidated draft of the new zoning ordinance (in Microsoft Word format) to be carried forward into the adoption process. This draft would include final versions of all illustrations. We would also prepare a final cover memorandum in a format that allows for comparisons between the current and proposed ordinance, summarizing all major changes.

TASK 3 SUMMARY

Consultant Responsibilities/Deliverables

- Prepare preliminary drafts of the new zoning ordinance (in three installments)
- Organize and facilitate testing of new standards (optional)
- Prepare discussion drafts of the new zoning ordinance (in three installments)
- Prepare final draft of the new zoning ordinance (one consolidated document)

City Staff Responsibilities

- Organize meetings of advisory committee, review bodies, and public (including notices)
- Review ordinance drafts and provide consolidated written comments

Taken together, the delivery of all modules of this draft will satisfy requirements VII.2, 3, 4, and 5 of the RFP document. They will incorporate form-based and mixed use tools as appropriate for different areas of the Duluth, will integrate landscape and stormwater standards for select areas of the city, and incorporate provisions for both purchases and transfers of development rights. It will integrate updated subdivision regulations and

integrate or cross-reference relevant state and federal land use regulations. And it will do so in a graphically rich and user friendly manner.

Task 4: Code Adoption

The Clarion team will provide support, in the form of materials or presentation assistance, during the adoption process. Clarion members would be available for attendance at public workshops and/or hearings on the new code before the various review boards and City Council.

TASK 4 SUMMARY

Consultant Responsibilities/Deliverables

- Participation in public hearings and workshops

Preliminary Project Schedule

Based on work in similar projects, we believe that the final draft of the code can be completed and ready to begin the adoption process in 18 months or less. However, if the revisions become controversial or additional public meetings and/or testing are necessary, additional time may be called for.



Project Management

Clarion Associates has a proven track record of being able to successfully manage complex code projects, bringing them in on time and within budget. Chris Duerksen of Clarion Associates will be the overall project director, responsible for overall project direction and strategy. Substantively, he will focus on natural resource, design, and sustainability issues. As day-to-day project manager, Don Elliot will coordinate directly with staff on project schedule, meetings, and status of deliverables, as well as coordinate and oversee all sub-consultants' work efforts and product. He will be assisted by Jeff Hirt and Darcie White of Clarion Associates. Sub-consultants Farr Associates and Ayres Associates will provide support in their respective areas of expertise and local knowledge.

We understand that the skills and knowledge of city staff are the foundation for successful ordinance revision projects. As such, we make an effort to involve staff throughout the process through regular consultation. We also recognize that there are areas of the project that may be done more efficiently or effectively by staff and, if requested, can work with the city to determine appropriate methods for dividing the work to both minimize costs and maximize the value of the project.

As a matter of good consultant practice, Clarion believes in regular telephone or in-person status conferences with staff. In addition, we will provide regular updates to elected and appointed officials and the advisory committee through the regular meetings and reports.

Budget

The Clarion team believes that the required deliverables can be produced through the process outlined above within the estimated budget of \$260,000. We anticipate that the breakdown of the budget amount will be roughly as follows:

ESTIMATED BUDGET BREAKDOWN	CLARION ASSOCIATES	FARR ASSOCIATES	AYRES ASSOCIATES	TOTAL
Task 1	\$30,000	\$10,000	\$5,000	\$45,000
Task 2	\$40,000	\$15,000	\$5,000	\$60,000
Task 3	\$70,000	\$40,000	\$25,000	\$135,000
Task 4	\$20,000	\$0	\$0	\$20,000
	\$160,000	\$65,000	\$35,000	\$260,000

TEAM OVERVIEW & STRENGTHS

CLARION ASSOCIATES

Clarion Associates is a national land-use consulting firm with offices in Colorado, North Carolina, Florida, Chicago, Philadelphia, and Cincinnati. Our unique combination of talents in land use and urban planning, design, land use law, and real estate economics allows us to develop creative solutions to difficult land use and design questions. Clarion is particularly known for its expertise in land use policy, development regulations, and plan implementation. Since our founding in 1992, the firm has developed expertise in a broad range of planning areas, including:

- Unified development codes;
- Development and design standards;
- Form-based codes;
- Natural resource protection;
- Sustainability;
- Infill and mixed-use development regulations;
- Historic preservation and community character;
- Land use law;
- Growth management strategies; and
- Innovative plan implementation strategies.

Clarion Associates takes a true team approach to all of our projects, involving a variety of stakeholders from the outset and throughout the project. We recognize that the citizens and staff of Duluth know their city best, and we will use that knowledge as the foundation for the unified development code project. In addition, we will bring a diverse team of professionals, including planners, attorneys, and urban designers, as well as invaluable local knowledge and expertise to the project. The diversity of skills helps Clarion bring a well-informed perspective to the table, allowing us to identify and resolve potential hurdles early in the process, and ensure that our recommendations are grounded in reality. Our work outside zoning — market analysis,



development agreement negotiation, and private-sector advisory services — helps us to ensure that our zoning work is grounded in planning and economic realities, and helps us to spot innovations initiated by the private sector, as well as the public sector. We know that the private sector builds towns and cities, and that exceptional places require well-understood partnerships between government and the private sector in order to both encourage and respond to new development models and innovative ideas.

Our specialized experience in topics relevant to the Duluth project is described below. Additional information on specific projects is included in the “Relevant Project Experience” section of this proposal.

Midwestern Knowledge and Experience

Our firm brings a substantial amount of knowledge of Midwest development code issues to the City of Duluth. Clarion Associates has offered a full range of planning and zoning services to a number of Midwest communities, including:

- Minnesota Department of Transportation – Airport Land Use Compatibility Manual (gaining familiarity with Minnesota land use law);
- Metropolitan Council, Minneapolis – Model Land Preservation Regulations;
- Dodge County, WI – Land Development Ordinance;
- Oak Park, IL – Zoning Code;
- Overland Park, KS – Design Standards;
- Chicago – Zoning Code (w/ Farr Associates);
- Aurora, IL – Zoning Code;
- Cedar Rapids, IA – Zoning Code;
- Detroit, MI – Zoning Ordinance;
- Kalamazoo, MI – Zoning Code;
- Clayton, MO – Design Standards; and
- Michigan Historic Preservation Network – Economic Impacts of Historic Preservation in Michigan

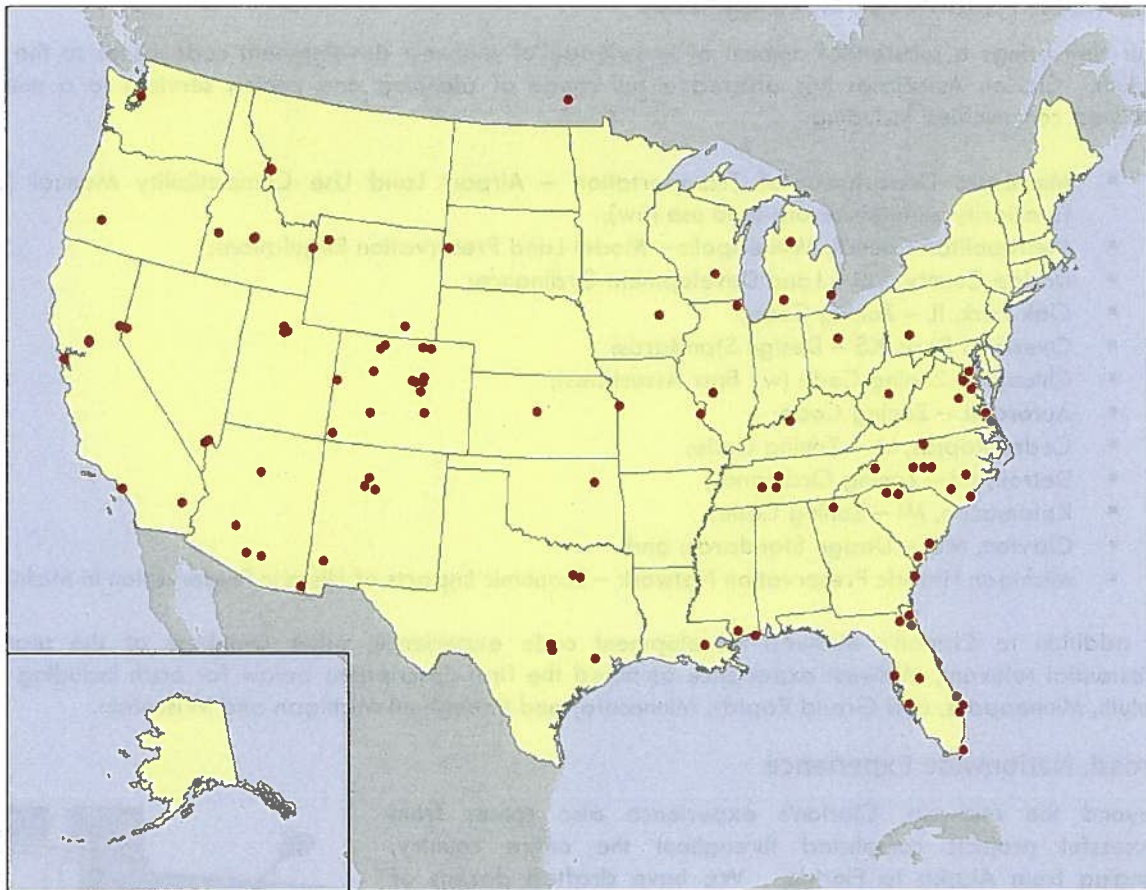
In addition to Clarion’s Midwest development code experience, other members of the team have substantial relevant, Midwest experience as noted the firm descriptions below for each including work in Duluth, Minneapolis, and Grand Rapids, Minnesota; and throughout Michigan and Wisconsin.

Broad, Nationwide Experience

Beyond the Midwest, Clarion’s experience also comes from successful projects completed throughout the entire country, ranging from Alaska to Florida. We have drafted dozens of successful land development ordinances across the United States, and have substantial experience tailoring each of those ordinances to the specific needs of the government and property owners for whom it was written. We have worked on regulations for small-sized towns and resort communities such as Sanibel, Florida, and Santa Fe, New Mexico. Our large-city experience includes Anchorage, Austin, Detroit, Pittsburgh, and Winnipeg. Medium-size communities in which we have worked include Aurora, Illinois; Kalamazoo, Michigan; Cedar Rapids, Iowa; Rowlett, Texas; Fort Collins, Colorado; Norman, Oklahoma; and Franklin, Tennessee. We are intimately familiar with a variety of tools used in zoning ordinances, ranging from traditional, Euclidean-type zoning districts, to more modern approaches, such as the form-based tools that we have developed for Fort Collins, Colorado; Louisville/Jefferson County, Kentucky; and Austin, Texas.

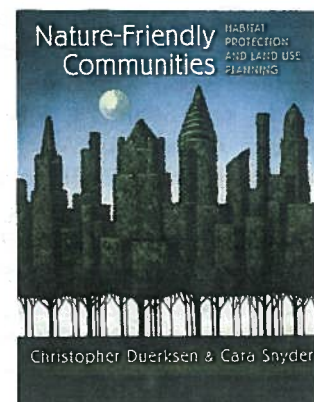


Clarion is also a leader in helping communities transition from one generation of land use controls to the next. In Fort Collins, Colorado, we helped the city move from a performance-zoning system to one based on more straightforward zoning districts (with form-based standards and considerable opportunities for innovative developments). We've helped communities like Aurora, Arvada, and Arapahoe County, Colorado, transition away from a dependence on negotiated PUD-based approvals that were frustrating to both the development community and the public.



A Track Record of Innovation

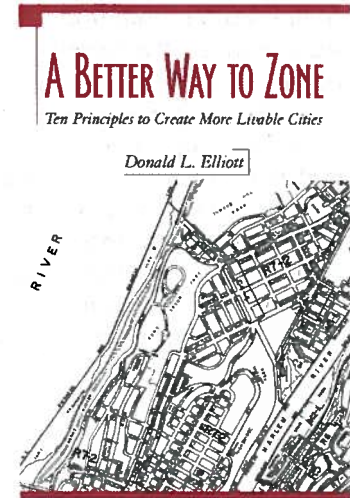
Unique planning goals and political constraints often require unique land use regulations, and Clarion Associates prides itself on mastering cutting-edge techniques and refining them to meet local needs. Clarion is a national leader in applying new zoning techniques in an effective and realistic manner. Our big-box development standards from Fort Collins, Colorado, have been widely emulated. We drafted the first city-wide form-based code in the nation for Louisville, Kentucky. We received a state-wide planning award for our mixed-use regulations in Colorado Springs. Our comprehensive plan and implementation strategy for Cheyenne, Wyoming, was recently selected as the best plan in the nation by the American Planning Association.



Team members have also authored leading publications, such as *Aesthetics, Community Character, and the Law; Nature-Friendly Communities; and Tree Conservation Ordinances*. Currently, we are also researching draft provisions for sustainable communities that could be applied in land use and development codes. Topics being addressed include solar access provisions, biodiversity protection, water and air quality standards, community gardens, and wind power.

A Focus on Plan Implementation

We never lose sight of the fact that land use regulations are intended to implement the community's preferred vision for the future. In this case, the work that has gone into Duluth's recent planning efforts must be respected, and we anticipate the need for multiple linkages between new regulations and the new Duluth Comprehensive Plan. We can suggest new tools, such as overlay districts or other land use approaches, to implement specific plan objectives. We also know that not all plan goals can be effectively addressed through land use regulations. Many of our zoning ordinance projects have come on the heels of a new comprehensive plan, and we have considerable experience drafting new regulations to implement plan policies in cities like Anchorage, Alaska; Cary, North Carolina; Rowlett, Texas; Winnipeg, Manitoba; Cedar Rapids, Iowa; and Aurora, Illinois. In addition, Clarion has ample experiencing working in communities where we have performed (or are currently working on) both comprehensive planning updates and land use code revisions – some of these communities include Fort Collins and Erie, Colorado; Buckeye, Arizona; and Broken Arrow, Oklahoma.



Expertise in Key Issues Facing Duluth

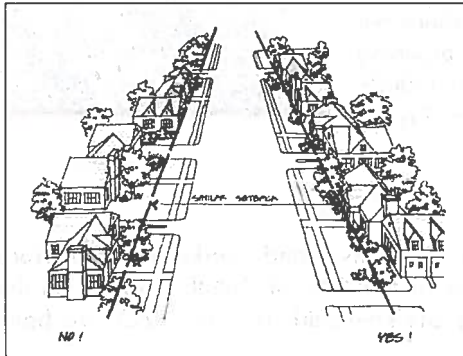
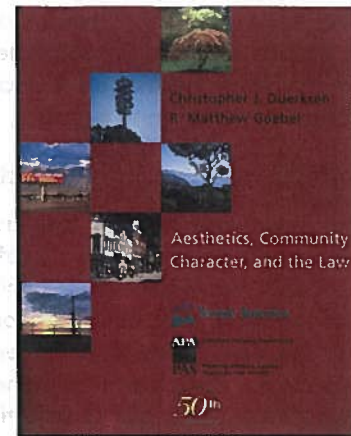
Clarion professionals have extensive experience in developing innovative and workable regulatory solutions for local governments in the areas of substantive interest to the City of Duluth. Based on the priorities outlined in the Duluth Comprehensive Plan found on the city's website and the RFQ, we have highlighted our expertise in the following relevant topics.

DESIGN STANDARDS AND VIEW PROTECTION

The Duluth Comprehensive Plan clearly emphasizes the importance of quality site design and development standards in its "Urban Design Principles" as well as view protection noted in the "Preservation and Protection" policies. The urban design policies state that standards should "ensure that different land uses mix well – compatible building scale and sensitivity to neighborhood context is essential". Taking a form-based code approach to particular areas of the city is key tool for implementing these goals, in addition to upgraded generally applicable design and development standards. Preservation and protection policies set forth the measures that should be taken in the new code to protect Duluth's sweeping views, "both looking down from above and up from below". Clarion successfully drafted well-received view protection standards in Park City, Utah, for example, so we understand the importance of this issue and implementation measures that can be taken. We also drafted standards for the Three Rivers Parkway near Pittsburgh, Pennsylvania, that have been successful in protecting that scenic corridor for over ten years. As a result of this work, the American Planning Association commissioned Chris Duerksen to draft a leading Planning Advisory Service Report on this subject that includes practice pointers for drafting view protection ordinances.



Clarion Associates also has significant experience in drafting design and development standards as part of code rewrite projects to ensure that new development respects and protects established neighborhoods and community character and meets local goals for high-quality building and site design. Our general approach in crafting regulations to address these issues is to keep codes and design standards as focused as possible. Standards that are too rigid and overly complex often can often emerge from a design standards effort, and as a result the standards are neither supported by the development community nor effective in achieving the quality of development desired. It is important to “pick the battles” that are key to encouraging desired development patterns. We target prescriptive approaches only on those aspects of site and building design that that are essential to meeting community goals. Guidelines or more flexible standards can then be used to address the other important, but not fundamental, topics. Examples of projects that have successfully achieved this balance include the previously mentioned “big box” standards we drafted in Fort Collins, Colorado, commercial and multi-family design standards in Overland Park, Kansas, and form-based commercial regulations we recently drafted for Austin, Texas.



A second lesson is that flexibility and incentives should be built in to the zoning ordinance and standards. One way is to incorporate menus of options to address more complex issues. Typically, requiring submittals to meet five of ten requirements for a particular design feature, instead of a requirement to meet all ten, is more easily accepted by the development community. It also helps avoid monotonous “designing to the code” results, and often achieves more creative and attractive patterns of development. Incentives can take many forms—including expedited application processing or “bonus” density—and can also help create unique identities for special areas. This menu approach was the foundation of the commercial design

standards we drafted for Austin.

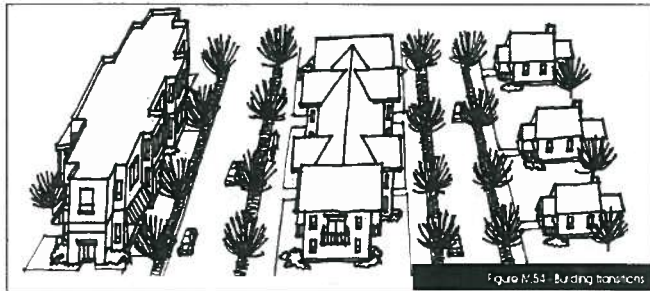
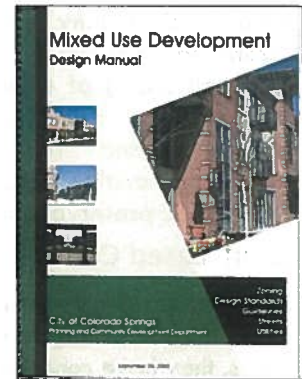
NATURAL ENVIRONMENT

A particular type of character protection that will be important in the Duluth code is protection of the natural environment. Duluth recognizes the long-term benefits of protecting a community's natural resources, and this topic is emphasized in the comprehensive plan. The new code should be crafted to guide appropriate development and to assure natural resources are protected when development eventually occurs.

We have extensive experience drafting land conservation, sensitive lands ordinances, and growth management tools for jurisdictions that include Dodge County, Wisconsin; Norman, Oklahoma; Salt Lake County, Utah; Pitkin County (Aspen), Colorado; and Loudon County, Virginia. In addition, Clarion personnel have drafted state-of-the-art vegetation and tree protection regulations for several communities. Chris Duerksen of Clarion is author of the leading Planners Advisory Service (PAS) report on the subject, published by the American Planning Association. He has spoken widely on vegetation conservation ordinances for organizations such as the National Arbor Day Foundation and the American Planning Association. Mr. Duerksen also co-authored an award-winning handbook on managing development to protect wildlife habitat, which was published by the American Planning Association and the recently-released *Nature-Friendly Communities* from Island Press.

INFILL AND MIXED-USE DEVELOPMENT

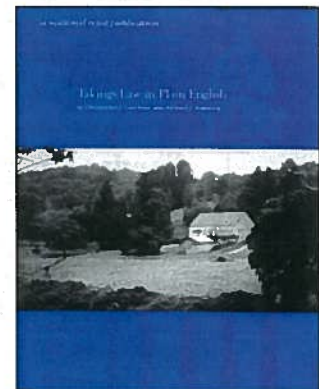
The comprehensive plan also emphasizes the importance of encouraging mixed-use development and redevelopment that is context-sensitive in the city's core areas. In virtually every policy and regulatory project that Clarion Associates has worked on in the past five years, principles and implementation of infill development and mixed-use have been at issue. As communities mature and resources become limited, there is an increasing emphasis on encouraging appropriate infill development, often at a more urban scale and with a more diverse mix of uses than allowed under earlier regulations. Clarion has drafted design standards and policies that recognize the need to differentiate between infill development and new development at the edge of communities, in terms of both design and development standards and review procedures. Recent Clarion projects in Austin, Texas; Orange County, Florida; Franklin, Tennessee; Colorado Springs; and Winnipeg, Manitoba, have all addressed the issue of encouraging appropriate infill through innovative new approaches. Don Elliot's work in Nashville, Tennessee, developing an urban design overlay district to address the issues of infill development, was recently featured in *Planning* magazine (January, 2006), and our *Mixed-Use Development Design Manual* in Colorado Springs won a state planning award in Colorado.



While there is a lot of theory in the planning literature regarding infill development and mixed-use, Clarion is one of the few firms in the country that actually has hands-on experience analyzing how plans and regulations work on the ground, as well as experience in testing proposed standards on actual development sites.

LAND USE LAW

Clarion has built our practice on the integration of land use law and planning. With several professionals on the team with both legal and planning backgrounds, we bring an unparalleled level of legal expertise to the drafting of zoning ordinances. We have detailed knowledge of U.S. constitutional and federal land use law, including how to avoid takings claims, deal with First Amendment issues (signs, adult uses), and ensure that standards meet due process requirements. Members of Clarion have written on all of the above topics, and have creatively assisted clients in the design of regulations that successfully navigate around any constitutional pitfalls they might create. In addition, Clarion has had hands-on experience working with zoning ordinance in numerous states and has a solid understanding of the need to thoroughly review state statutes to ensure the city's new code complies with all applicable state laws. As an example, we recently drafted the Minnesota Airport Land Use Compatibility Manual for the Minnesota Department of Transportation, which gave us knowledge of Minnesota land use law in addition to our national experience.



FARR ASSOCIATES

Designing Sustainable Human Environments

Founded in 1990, Farr Associates is a 17-person architecture and planning firm. Their practice is centered on creating great and healthy places that enrich human life while minimizing negative environmental impacts. Their projects cover all scales of planning—site, neighborhood, city, and region—and architecture—institutional, commercial, and residential—and fall into three interrelated areas: sustainable architecture, town planning and urban design, and historic preservation.

Form-Based Codes

Farr Associates is on the cutting edge of high performance architecture and planning. They have extensive experience in writing form-based codes for small- to medium-sized Midwestern communities. For several years, they have concentrated their planning efforts on form-based coding as a partner to our sustainable design practice. They believe a form-based approach is the best way to implement sustainable neighborhoods. They wrote the first form-based code that was adopted in Illinois to implement the firm's master plan for the Town of Normal. Though much of work has been concentrated in smaller, forward-thinking communities, they were also successful in convincing the City of Chicago to implement form-based coding in the Chicago Zoning Update and developed a form-based overlay for the city's most pedestrian-oriented streets.



FORM-BASED REGULATION EXPERIENCE	Form- Based- Character Districts	Form- Based Design Standards	Mixed-Use Standards with Form Elements	TND or TOD Standards with Form Elements
Aurora, CO		✓	✓	
Austin, TX	✓	✓	✓	
Carson City, NV	✓	✓	✓	
Colorado Springs, CO		✓	✓	
Fort Collins, CO		✓		
Falls Church, VA	✓		✓	✓
Franklin, TN	✓	✓		✓
Henderson, NV			✓	✓
Henrico County, VA		✓	✓	
Kalamazoo, MI		✓	✓	
Louisville, KY	✓			
Mooreville, NC		✓		
Rock Hill, NC		✓		
Sacramento County, CA		✓	✓	
Sparks, NV			✓	✓
Portsmouth, VA	✓	✓		

Leaders in the Field

Farr Associates professionals have carried throughout their careers a deep interest in and dedication to the environment and creation of healthy places. They are further committed to guiding change through being effective leaders and communicators, playing a strong role in leading the green design movement both

regionally and nationally. They are heavily involved in organizations that advance the state of the practice, writing and presenting regularly throughout the country.

A Highly Collaborative, Structured Approach

Farr Associates still prefers the personal approach, listening carefully to gain an understanding of a community's and a client's needs and wants. The firm believes that the most successful projects result from working closely with stakeholders to identify objectives, establish clear responsibilities, clarify expectations, and create realistic budgets.

Recent Awards and Accolades

- Michigan Association of Planning Outstanding Planning Project: Project, Program or Tool 2006
- ITE Transportation Planning Council Best Project Award 2006
- Illinois Association of Planning Award - Planning Program, Project or Tool 2004
- Exemplary Sustainable Building Award, First Place, 2004
- Mayor Daley's GreenWorks Award 2004
- "Best Practice" US Department of Housing and Urban Development
- Richard H. Driehaus Foundation Award

AYRES ASSOCIATES

Ayres Associates is a multi-specialty architectural/engineering consulting firm providing services from a network of 18 offices in eight states: Minnesota, Wisconsin, Arizona, California, Colorado, Georgia, Florida, and Wyoming. Their services and specialty areas include the following:

- | | |
|----------------------------------|---|
| • Planning services | • Wastewater technologies |
| • Transportation engineering | • Solid waste management |
| • Highway design | • Environmental management |
| • Traffic engineering | • Modern roundabouts |
| • Geographic information systems | • Survey services |
| • Water resources engineering | • Real estate services |
| • Municipal engineering | • Architecture and structural engineering |
| • Municipal growth management | • Brownfield services |
| • Stormwater management | |

Ayres Associates is ranked 232nd among the top 500 architectural/engineering firms in the nation by ENR magazine.

Stormwater Management

Stormwater management has become a major concern for municipalities, developers, and industries. Regulations control the quantity and quality of stormwater runoff leaving a site. Given the myriad of regulations, how do you determine what must be done? Ayres Associates has the answer based on more than 30 years of stormwater management expertise.

Ayres Associates has prepared stormwater management plans for communities ranging from several hundred to 50,000 people. These can be as simple as a small plan for a construction site or as elaborate as a master plan for a large urban area.

A master drainage plan that Ayres Associates developed for Colorado State University received an honor award from the American Council of Engineering Companies-Colorado and an honor award for

outstanding achievement from the Colorado Association of Stormwater and Floodplain Managers. The design included storm drain inlets, storm drain piping, localized grading, and detention ponds with associated facilities.

Municipal Growth Management

Ayres Associates has been providing engineering guidance for growing municipalities for many years. They understand the impacts that growth will have on a community's infrastructure as well as the importance of having guidelines in place for residential, commercial, and industrial development. They can assist with the process of planning ahead to manage growth and dealing with ongoing growth and its impacts on streets, utilities, and community-wide stormwater issues.

The firm's growth management services include:

- Sanitary sewer studies
- Impact fee development
- Wellhead protection plans
- Residential and commercial development design review
- Business park design
- Water system studies
- Development guidelines
- Capital improvement plans
- Stormwater management plans
- Comprehensive plan implementation

PROJECT PERSONNEL

Clarion Associates

The following Clarion staff members will participate in the Duluth assignment:

Christopher Duerksen, Managing Director. Chris Duerksen has been the Managing Director of Clarion Associates since its inception in 1992. He currently serves as a land-use and zoning consultant to numerous local governments across the United States. His expertise is concentrated in growth management and zoning, natural resource protection, and historic preservation. Chris has over 25 years of experience in his field. Recent projects include: Blaine County (Sun Valley), Idaho, Natural Resource Protection and TDR regulations; Minnesota Airport Land Use Compatibility Regulations and Manual; Oak Park, Illinois, Zoning Code; Reno, Nevada, Development Code; Franklin, Tennessee, Zoning Ordinance Rewrite; Overland Park, Kansas, Design Standards; and the Southern Nevada Regional Plan. Chris has been the author or co-author of six major books on nature friendly communities, compatible development patterns, historic preservation law, siting of major industrial facilities, river conservation, and national parks. Chris will be involved throughout the Duluth Unified Development Code project as the project director.



Don Elliott, FAICP, Senior Consultant. Don Elliott is a land use lawyer and city planner with 24 years of related experience. He has worked on a diverse array of projects in his career at Clarion, including land development codes, growth management studies and regulations, transferable development rights systems, and design standards and guidelines. Mr. Elliott has drafted award-winning land use regulations for Denver and Aurora Colorado, and has spoken and written extensively on a wide variety of land use and legal topics. He is the primary author of codes in Detroit, Michigan, Winnipeg, Manitoba, and Cedar Rapids, Iowa, and the author of *A Better Way to Zone* (Island Press, 2008). Don will be the day-to-day project manager and will draft key elements of the Duluth project, such as the new development standards.



Darcie White, AICP, Principal. Darcie White, AICP, is a Principal with Clarion Associates in Colorado. She is a planner and landscape architect with nearly nine years of professional experience developing comprehensive land use plans, design standards, and GIS analyses. She has been involved in numerous planning projects for a range of local, state, and non-profit agencies throughout the country. Much of her work has focused on comprehensive planning for mid-sized communities, downtown revitalization, context-sensitive design, infill and redevelopment, design standards, and transit-oriented development. Darcie will be available for strategic consultation and drafting assistance on key elements of the Duluth project, such as design standards and form-based regulations.



Erica Heller, Associate. Erica Heller is an Associate with Clarion Associates, based in Denver and Fort Collins, Colorado. Ms. Heller is a land use planner with six years of professional experience in community plans, neighborhood plans, and development codes. Prior to joining Clarion Associates, she was a long-range planner led the redevelopment authority for Lakewood, Colorado. Ms. Heller's areas of knowledge include neighborhood and community planning, redevelopment/revitalization, transit oriented and mixed use development, public participation strategies, land use policies and standards, and Growth management and smart growth techniques. Ms. Heller has spoken on the topic of effective neighborhood involvement strategies. She holds a master's degree in Public Policy from the University of Colorado. She graduated with honors from Yale University with a bachelor's degree in Environmental Studies and Latin American Studies. She is a member of the American Planning Association and the Urban Land Institute.



Farr Associates

Leslie Oberholtzer, RLA, Director of Planning. Leslie is director of the Planning Studio at Farr Associates. With an extensive background in landscape architecture and smart growth planning, she is interested in promoting sustainable development through availability of alternative transportation and housing choices, green construction, community building, and tradition preservation. Ms. Oberholtzer has extensive experience in drafting land development codes, including form-based codes and design guidelines around the country and the Midwest.

Kristin Ihnchak, Urban Designer/Planner. Kristin is an Urban Designer/Planner with Farr Associates. Her past experience in the planning field lends itself to developing and revising sustainable zoning ordinances, land development regulations, master plans, and form-based codes.



Christina Anderson, AICP, Urban Designer/Planner. Christina was a municipal planner for a southwest suburb of Chicago before joining Farr Associates. She has experience in both land use and transportation planning and is particularly interested in promoting sustainable development and bicycle and pedestrian issues.

Ayres Associates

Thomas M. Pfeffer, PE, Manager – Transportation and Municipal Services. Mr. Pfeffer joined Ayres Associates in 2003, bringing 17 years of experience as a project civil engineer and project manager for transportation and municipal projects. His background includes four years serving the Wisconsin Department of Transportation and three years serving the City of Olympia, Washington. His project experience includes site development, highways, bridges, streets, airports, parking lots, recreational trails, utilities, pavement rehabilitation, and pit restoration. He has experience providing stormwater reports,

wetland permits, utility design, environmental reports, design study reports, road design, pavement design, traffic control, erosion control, hydrologic and hydraulic analysis, and life cycle cost analysis.

Kristine K. Anderson, PE, Civil Engineer. Ms. Anderson joined Ayres Associates in 2001 as a project engineer, bringing eight years of engineering experience. Her design experience includes site engineering development, subdivision development, industrial and business park design, lift stations, roadways, sidewalks, bike paths, sanitary sewer, storm sewer, and water distribution systems. She has also worked extensively with state and local stormwater ordinances and has experience writing stormwater management reports, preparing stormwater management and erosion control plans, and providing stormwater quality planning and stormwater permitting assistance. Her responsibilities have included planning, managing, and designing stormwater, civil, transportation, and environmental projects.

RELEVANT PROJECT EXPERIENCE

Clarion Associates

Clarion Associates and our team members offer the full range of expertise needed to make the Duluth UDC project a success. Since the firm was founded in 1992, Clarion has written plans and drafted ordinances and regulations for over 60 communities throughout the United States. A sample of relevant projects is provided below. In addition, immediately below are six project references with contact information. We also can provide reference and contact information for any of the other projects listed below upon request.

- Brian Ryks, Executive Director, Duluth Airport Authority, 218-727-2968 (Mr. Ryks served on the advisory committee for the Minnesota DOT Airport Land Use Compatibility project.)
- Greg Byrne, Director of Planning and Community Development, Albany, Oregon, 541-917-7550 (Mr. Byrne was the Planning Director for the City of Fort Collins, Colorado, for the Big Box Retail Design Standards project)
- Mary Kay Peck, City Manager, City of Henderson, Nevada, 702-267-2062
- Jeff Ulma, Planning Director, City of Cary, North Carolina, 919-319-4580
- George Adams, Urban Design Manager, City of Austin, 512-974-2146
- Tyson Warner, Northeastern Illinois Planning Commission, 312-386-8606

AUSTIN, TEXAS | COMMERCIAL DESIGN STANDARDS

The Austin City Council approved a policy document entitled "Raising the Design Standards in Austin, Texas," which proposed a range of new city-wide design and development standards. The policy document was developed over several months by a Task Force organized by the Council. It identifies a number of areas where regulatory improvements are necessary in order to raise the bar of development quality in Austin, including relating building orientation to street types, landscaping, building design, and parking location. The City of Austin then retained Clarion Associates to draft state-of-the-art form-based commercial design standards that were recently adopted. Public participation included meetings with neighborhood organizations, an advisory committee, and developers. Clarion also conducted a two-day testing exercise with affected developers to ensure the standards worked in practice.

ADOPTED



Client: City of Austin, Texas
Reference: George Adams, Urban Design Manager
Telephone: (512) 974-2146

FORT COLLINS, COLORADO | BIG BOX RETAIL DESIGN STANDARDS

ADOPTED

Faced with numerous developments that proposed construction of "big box" retail stores, community planners wanted to make sure the shopping centers were attractive, well landscaped, and could handle large traffic volumes. Clarion Associates prepared standards that addressed building design, parking lot layout and landscaping, and neighborhood compatibility. The guidelines, some of the first of their kind in the nation, are regularly used as a model for planning throughout the country. Public participation included numerous meetings and workshops.



Client: City of Fort Collins, Colorado
Reference: Greg Byrne, former Community Development Director (now Director of Planning, Albany, Oregon)
Telephone: (541) 917-7550

COLORADO SPRINGS, COLORADO | MIXED-USE ZONING & STREET STANDARDS

ADOPTED

In spring 2001, Colorado Springs adopted a new Comprehensive Land Use Plan that directs future commercial/employment development into compact, walkable, mixed-use activity centers. These activity centers range from the smallest, walk-up neighborhood center to the largest regional malls. Residential development is intended to be an important component of each type of center. Clarion Associates, leading a team including Zimmer Gunsul Frasca and LSA Associates, completed a preliminary critical analysis of existing commercial center development patterns, a detailed written diagnosis of current code strengths and shortcomings, and an annotated outline of proposed new mixed-use zoning and street standards and guidelines. Clarion then prepared and tested targeted revisions to the city's land development code, including new mixed-use zone districts, new development and design standards, and regulatory incentives. In addition, the Clarion team prepared revisions to the city's existing street technical and design standards to assure full integration of multiple modes of transportation in the new centers. Staff used the Clarion team's work to prepare final zoning code revisions and a companion policy and design manual that will facilitate future mixed-use development in the city.

Client: City of Colorado Springs, Colorado
Reference: Ira Joseph, Planning and Community Development
Telephone: (719) 385-5905



CARY, NORTH CAROLINA | UNIFIED DEVELOPMENT ORDINANCE

ADOPTED

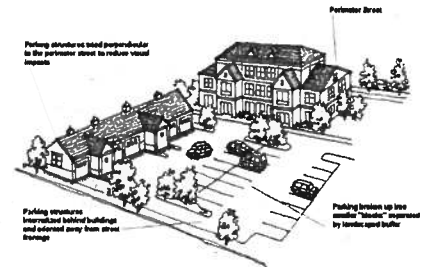
The rapidly growing Town of Cary, located just outside North Carolina's large Research Triangle Park, retained Clarion Associates to prepare comprehensive revisions to Cary's Unified Development Ordinance. The project includes a heavy emphasis on public participation; significant streamlining of the current code, including revision and clarification of several development review procedures; and also implementation of planning and growth management goals adopted in the city's 1996 Growth Management Plan, including many neotraditional design principles. A groundbreaking computerized, interactive version of the final code was produced and is available on the Town's website.

Client: Town of Cary, North Carolina
Reference: Jeff Ulma, Planning Director
Telephone: (919) 385-5905

HENDERSON, NEVADA | COMPREHENSIVE ZONING CODE REVISIONS

ADOPTED

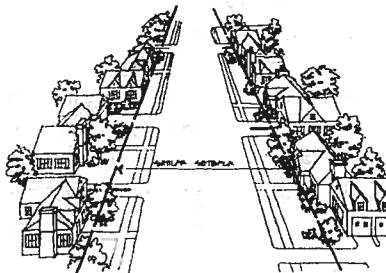
Clarion Associates was retained by the City of Henderson to lead a team to draft a comprehensive zoning ordinance. Influenced by the growth of the Las Vegas area, Henderson is one of the fastest growing areas in the West. Working closely with a citizen's advisory committee led by the planning commission chair, Clarion drafted revisions that included implementation of a town center concept contained in the new comprehensive plan, design standards, landscaping provisions, and revamping of the development review process. A computerized version of the code, which can be found on the city's website, has proven very popular with the public and code users. The Nevada Chapter of the American Planning Association honored the new Henderson code with a statewide planning award.



Client: City of Henderson, Nevada
Reference: Mary Kay Peck, City Manager
Telephone: (702) 267-2062

CLAYTON, MISSOURI | URBAN DESIGN DISTRICT STANDARDS

ADOPTED



Located in the heart of St. Louis, this built-out community has been experiencing high volumes of redevelopment and infill in its existing residential neighborhoods. Although this redevelopment is stimulating the local economy, it also brings significant challenges. Clarion evaluated existing development regulations and drafted development design standards for five urban design districts, which addressed building height, architectural style, lot configuration, and tree preservation. Clarion conducted a neighborhood character analysis and tailored standards for each district and held hands-on public

workshops to tailor the standards to each neighborhood. The standards were adopted unanimously by the city council.

Client: City of Clayton, Missouri
Reference: Catherine Powers, Planning Director
Telephone: (314) 290-8459

OVERLAND PARK, KANSAS | DESIGN GUIDELINES AND STANDARDS

ADOPTED

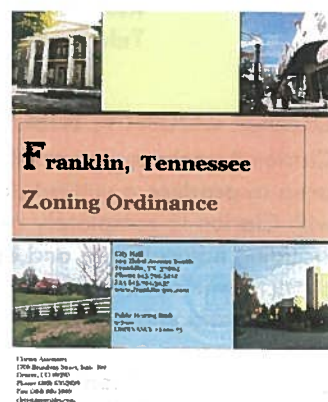
Clarion Associates was retained to draft new development standards for infill, commercial, and multifamily development in this fast-growing suburb of Kansas City. The project has a dual focus because Overland Park has both an established downtown and older neighborhoods as well as newly developing areas. Clarion undertook an analysis of current development patterns in each of these areas and then worked closely with neighborhood representatives, developers, and city officials to tailor standards that would encourage infill development while protecting established neighborhoods and ensuring high-quality development on greenfield sites.

Client: City of Overland Park, Kansas
Reference: Bob Lindeblad
Telephone: (913) 895-6193

FRANKLIN, TENNESSEE | ZONING ORDINANCE

ADOPTED

Clarion Associates was retained by the City of Franklin to draft a revised development code for this fast-growing, progressive community in the Nashville region. The code is focused on implementation of a cutting edge comprehensive plan that included the development of character areas, innovative open space and natural resource preservation techniques, and a much stronger focus on urban design. The development code includes substantive re-structuring of the County's current ordinance, including integration of the County's stand-alone design guidelines, and an overall upgrade to the development standards related to landscaping, parking, and open space. Throughout the process, Clarion worked closely with a zoning advisory committee (ZAC) made up of city council and planning commission members and citizens at-large. ZAC meetings were televised throughout the community.



Client: City of Franklin, Tennessee
Reference: Jaime Groce, Planning Director
Telephone: (615) 791-3212

LOUISVILLE, JEFFERSON COUNTY, KENTUCKY | LAND DEVELOPMENT CODE

ADOPTED

Clarion Associates was retained to lead a team including WRT and Tim Bishop, Esq. to complete a revision of the joint land development codes for the City of Louisville and Jefferson County (including all incorporated and unincorporated parts of the county). Development challenges facing the county included revitalization of downtown Louisville and the Ohio River waterfront; preservation of its older housing stock and traditional neighborhoods and villages; the preservation of important natural, cultural, and scenic areas including critical watershed lands, karst terrain, and mature woodlands; and ensuring better compatibility between new development and adjacent neighborhoods. Important new development code provisions included (1) detailed community and site design and development standards keyed to eleven character-based "form districts" that overlay the county's standard zone district system (including a "village form district" and a "town center" form district; and (2) detailed environmental protection standards generally applicable to all new development, including standards addressing steep slopes, unstable soils, woodland/tree preservation, and water quality.

Client: City of Louisville and Jefferson County, Kentucky
Reference: Charles Cash, Planning and Design Director
Telephone: (502) 574-6230

DETROIT, MICHIGAN | ZONING ORDINANCE

ADOPTED

Clarion Associates was selected to lead a multi-disciplinary team including Duncan and Associates, the Planning and Zoning Center, and others to write a new zoning ordinance for the City of Detroit. As economic growth has returned to Detroit and neighborhoods have begun to revitalize, the city found that its old ordinance lacked the tools it needed to protect residential neighborhoods while encouraging investment and accommodating market forces. The Clarion team was hired to perform a thorough analysis of all the areas in which the zoning ordinance was not in compliance with Michigan or federal law, out of touch with the goals of the adopted Comprehensive Plan, or unresponsive to the needs of its citizens, and to draft comprehensive revisions to correct those problems. The revised code was recently adopted unanimously by the city.



Client: Detroit City Planning Commission
Reference: Roy Bolger, Director
Telephone: (313) 244.3219

DODGE COUNTY, WISCONSIN | LAND DEVELOPMENT ORDINANCE

ADOPTED

Clarion Associates was retained by this fast-growing county just outside of the Milwaukee metropolitan area to produce a unified development code. Facing increasing development pressure, the county worked with Clarion to completely revamp its zoning and subdivision regulations to address a variety of issues including natural area and open space protection, conservation/cluster subdivisions, consolidation of zone districts, wholesale revision of development procedures, and coordination with stormwater, floodplain, and other development regulations.

Client: Dodge County
Reference: David Carpenter, Planning and Development Director
Telephone: (920) 386-3708

MINNESOTA DEPARTMENT OF TRANSPORTATION | MINNESOTA AIRPORT LAND USE COMPATIBILITY MANUAL

The State of Minnesota has 136 public airports, ranging from rural county airports to the Minneapolis-St. Paul International Airport. The state is increasingly concerned about incompatible land uses near airports, and the hazards such uses pose to both air flight and to persons living and working on the ground. While Minnesota is a leader among states in regulating airport and safety hazards, it hired Clarion Associates to research the newest trends in regulating compatible airport land use and write a user-friendly manual to guide local governments in making land use decisions in the vicinity of airports. To begin with, Clarion reviewed every adopted airport zoning ordinance for compliance with the state's minimum airport zoning rules and to search for home-grown, novel approaches to ensure compatible land uses. Clarion also interviewed over a dozen airport managers and local officials about how well their adopted zoning ordinances were actually implemented and administered on the ground. Surveying and identifying gaps in Minnesota's aviation statutes, as well as surveying other states' legislative approaches, were also part of the first stages of the project. As the final background research step, the Clarion team provided the state with a detailed analysis of takings law in Minnesota, together with a recommended strategy to encourage progressive change in the statutory courts' takings jurisprudence. In the next tasks, Clarion aided state legislators with recommended statutory amendments and drafted a final airport land use compatibility manual. The manual is written in plain English and targeted at local officials. Clarion also completely revised, reformatted, and updated the state's model airport zoning ordinance to make it easier for local governments to tailor their compliance with state zoning requirements to fit their own unique circumstances.



Client: Minnesota Department of Transportation
Reference: Michael Louis, Director Planning Research and Information
Telephone: (651) 296-9869

* Note: Brian Ryks, Duluth Airport Authority Executive Director, was a member of the project advisory committee (contact information noted at the beginning of this section).

Farr Associates

CITY OF ALLEGAN, MICHIGAN | FORM-BASED ZONING ORDINANCE

The City of Allegan, located in southwest Michigan, has traditionally utilized a conventional or Euclidean zoning code. This type of one size-fits-all code, however, was not promoting the type and form of development the community desired. With the assistance of the Environmental Protection Agency, the City of Allegan hired Farr Associates to draft a new code, one that would take Allegan's existing character into consideration.

To create the new form-based code, Farr Associates worked with the community to gather their building type preferences. This was achieved through key person interviews, an image preference survey (IPS), and a land use charrette attended by over seventy residents. These preferences, combined with an extensive survey of existing conditions and analysis of current ordinances, create the basis of the form-based code. Farr Associates also worked closely with a working group comprised of residents and city officials. Allegan's new ordinance regulates building form, including the location of the building on a lot, entrance location, height, impervious lot cover, facade elements, landscape screening, lighting requirements, signage, and parking.

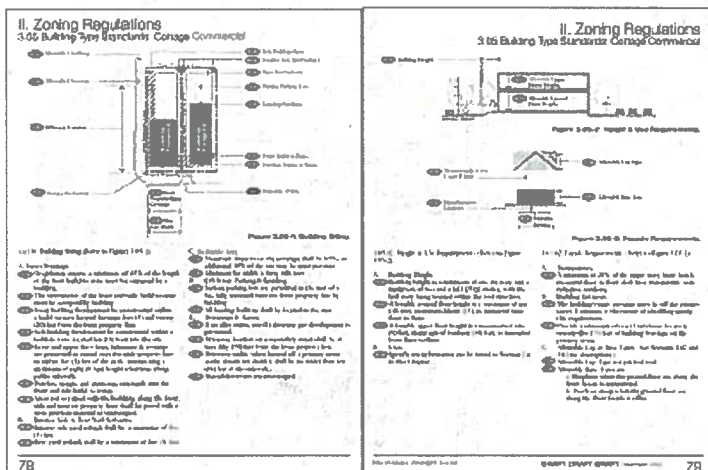
Client: City of Allegan
Reference: Dave Sperry, Assistant City Manager
Telephone: (269) 686-1103



Existing building types, such as this residential structure with a commercial use, were photographed and measured during the early stages of the code development.



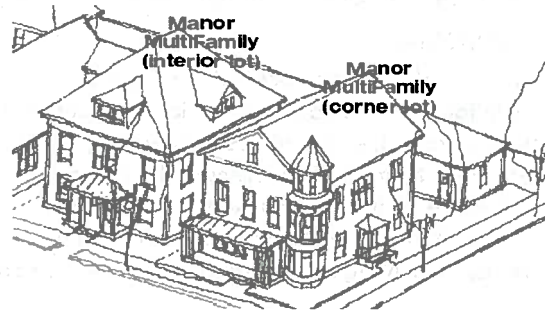
Residents participate in the code development process by reviewing plans for key redevelopment sites at the charrette.



The information gathered in the community process and the surveying of existing sites served as the basis of the form-based code.

CITY OF BLOOMINGTON, ILLINOIS | GRIDLEY, ALLIN, PRICKETT FORM-BASED CODE

The City of Bloomington hired Farr Associates to conduct a public process and develop form-based regulations for this existing historic neighborhood in Bloomington, adjacent to downtown. The neighborhood consists of a variety of homes, including large houses that have been converted to multifamily, apartment buildings, and single family houses. The community needed very specific guidance to allow buildings and sites to redevelop while maintaining the character and feel of the existing neighborhood. Market Street is a main thoroughfare from the highway to downtown that cuts through the neighborhood. Previously, the community's comprehensive plan designated this street to convert to commercial. The existing commercial, however, is not neighborhood oriented and several well-maintained residential buildings existed in the commercially zoned areas. The new zoning addresses these issues by defining smaller areas of commercial and restricting the uses and building types for the commercial areas, allowing them to redevelop into smaller scale neighborhood uses.

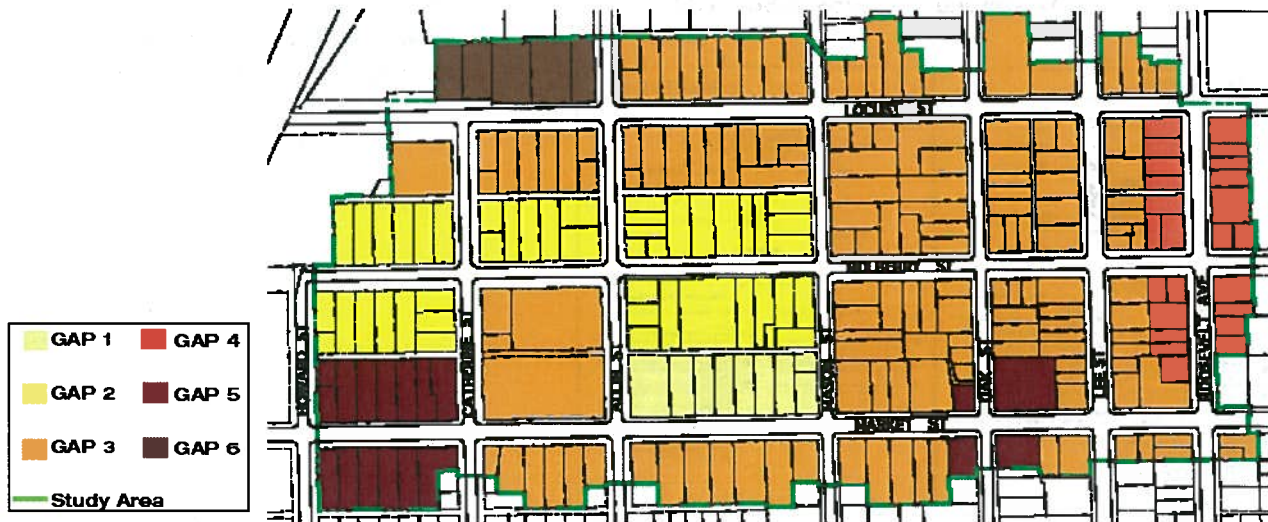


Sketch in the form-based code that illustrates the requirements of the multifamily houses.



A typical street in the neighborhood.

Client: City of Bloomington
Reference: Mark Huber, Planning and Code Enforcement Director
Telephone: (309) 434-2226



The regulating plan for the form-based code defines six new districts specific to this neighborhood. Each district allows a separate mix of building types and uses unique to the locations shown on the plan.

MINNEAPOLIS, MINNESOTA | 46TH STREET AND HIAWATHA AVE. STATION AREA | HENNEPIN COUNTY

Farr Associates prepared a transit-oriented development plan for the half-mile radius around a new light rail station at 46th St. and Hiawatha Ave. in southwest Minneapolis. The resulting plan adds density in a manner acceptable to the neighbors. Retail, offices, and roughly 550 new housing units are proposed. Additionally, residents preferred a policy that would allow homeowners to add coachhouses above existing garages. Alternative mobility features of the plan include reduced parking ratios, car sharing, off-street bike lanes, indoor storage, and transit incentives.



*Partial redevelopment plan, including
rental, housing and offices*

Client: Hennepin County
Reference: Carol Lezotte, Transit and Community Works Department
Telephone: (612) 348-2997

Ayres Associates

UNIVERSITY OF WISCONSIN SYSTEM | STORMWATER MANAGEMENT - NORTHWEST VARIOUS LOCATIONS, WI

The State of Wisconsin is having stormwater management plans prepared for each of the four-year University of Wisconsin campuses. The plans will provide direction to the campuses to meet Wisconsin Department of Natural Resources NR 151 and NR 216 regulations for stormwater discharges and obtain stormwater discharge permits.

Ayres Associates prepared stormwater management plans for the four northwest campuses: UW-Superior, UW-Eau Claire, UW-River Falls, and UW-Stout. The plans include an assessment of existing stormwater features; an overview of proposed future development; an assessment of existing stormwater best management practices; a description of applicable codes; and recommendations for stormwater management. A separate stormwater management report including mapping, methods, conclusions, recommendations, and cost estimates was prepared for each campus.

Client: Wisconsin Department of Administration, Division of State Facilities
Reference: David Kaul, PE
Telephone: (608) 267-7993

VILLAGE OF ROBERTS/TOWN OF WARREN, WI | JOINT COMPREHENSIVE PLAN

The Village of Roberts and the Town of Warren in western St. Croix County, Wisconsin, retained Ayres Associates to develop a joint comprehensive plan. The area is 24 miles east of Minneapolis/St. Paul and is beginning to experience growth pressures from the metropolitan area. The comprehensive plan is designed to meet the requirements of the new "Smart Growth" law and to provide for organized and planned growth that prevents sprawl in the Village of Roberts and Town of Warren.

Residents of the Village and Town developed a vision statement for their joint community that was used in developing the plan's overall goals and objectives. The overall goal of the plan is to provide for orderly, attractive community growth that maintains and enhances the identity and historical character of the Roberts/Warren community; achieves a well-balanced land use pattern; enhances compatibility of land uses; and balances growth at the community's periphery. The plan considers transportation, environmental,

utility, and housing issues and also provides implementation tools. As part of the comprehensive plan, the Village and Town developed a future land use plan.

Client: Village of Roberts
Reference: Willard Moeri, Village President
Telephone: (715) 749-3126

LINCOLN PARK SLOPE STABILIZATION | DULUTH, MN

The City of Duluth Lincoln Park stabilization project consisted of design and construction management services for stabilizing a roadway slope on Lincoln Park Drive. The roadway slope had failed and jeopardized the existing Lincoln Park Drive. Ayres Associates designed the slope stabilization, which included bank fill, riprap, and installation of storm sewer to transfer water from the roadway to Miller Creek.

The City of Duluth added an emergency culvert repair to the project toward the end of the project construction. Ayres Associates worked with the city and contractor to design and construct the culvert replacement on a fast track basis.

Client: City of Duluth
Reference: Gary Minck, PE, Project Engineer
Telephone: (218) 730-5074